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September 13, 2021

Via ECF

The Honorable Denise Cote
United States District Judge, S.D.N.Y.
Daniel Patrick Moynihan U. S. Courthouse
500 Pearl Street
New York, New York 10007

Re: U.S. v. Derek Livingston, 20 Cr. 52 (DC)

Dear Judge Cote:

Pursuant to the provisions of 18 U.S.C. §3553(a) and 18 U.S.C. §3661, we respectfully offer the following Video Exhibits to aid the Court in imposing the appropriate sentence for our client, Derek Livingston. These Exhibits will illustrate two of the most compelling characteristics of Derek Livingston's personal history for the Court to consider in determining a just sentence. While lasting roughly six minutes, these Exhibits convey relevant information more effectively and succinctly than lengthy written descriptions might do. Specifically, they capture with charming accuracy (1) Mr. Livingston's unique skill and remarkable success as a talented circus performer with a respected community organization, as well as (2) his enduring devotion to the well-being and healthy development of his little daughter.

The Video evidence we offer on our client's behalf is:

Exhibit B1 (1:56 duration): News 12 piece on street co-naming celebration in Morrisania, Bronx. It portrays: King Charles Unicycle members playing, Rev. Bill Minson speaking about founder Jerry King and honoring King's dream; and Vanessa Gibson, city councilmember, speaking about the Troupe's purpose and goal of helping people.

Exhibit B2 (3:27 duration): Video of King Charles Troupe performing at the Mall of the Emirates in Dubai. Portrays: Mr. Livingston is wearing the blue number-19 jersey and riding a unicycle from 0:00-0:06 0:58-1:10, 1:16-1:56; and wearing a blue number -10 jersey, turning a jump rope from 0:08-0:30 and from 2:00 to 3:05.

Honorable Denise L. Cote, U.S.D.J.
September 13, 2021

The following are offered Under Seal:

Exhibit D1 (0:37 duration): Video of Mr. Livingston combing his daughter's hair.

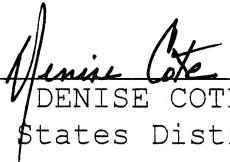
Exhibit D2 (0:15 duration): Video of Mr. Livingston bouncing his daughter on his lap while teaching her to say "dada".

Exhibit D3 (0:16 duration): Video of Mr. Livingston holding and comforting his daughter while she is crying.

The Court declines to receive this video evidence in connection with the sentence. The defendant will be provided an opportunity to speak and submit written materials in connection with his sentence.

Respectfully submitted,
Anna N. Sideris
Anna N. Sideris
Peter Enrique Quijano

SO ORDERED
September 13, 2021



DENISE COTE
United States District Judge